REMARKS/ARGUMENTS

Claims 1-44 are pending in the present application. By this response, claims 1, 14, 22, 35, 43, and 44 are amended. Claims 1, 22, and 43 are amended to recite subject matter similar to "presenting the selected unaltered and altered streams concurrently." Claims 14, 35, and 44 are amended to recite "presenting the selected unaltered and altered video streams and the selected unaltered and altered audio streams for the event according to selected video stream and audio stream assignments concurrently." Claims 14 is further amended to correct a minor informality. Reconsideration of the claims is respectfully requested.

I.   35 U.S.C. § 112, First Paragraph

The Office rejects claims 1-44 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

As to claims 1-44, the Office states"

> Claims 1-44 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.
> Regarding the independent claims, the claims recite, "*altering ones of the selected video streams and ones of the selected audio streams for the event, wherein the altering step selectively omits content of at least one of the selected streams while retaining other content for presentation to produce an altered stream*". The examiner notes that the only section in the Applicant's specification of the instant application that discusses altering by omitting content from the video or audio streams can be found on Page 12, Lines 27-29, which states, "*Depending on the user input, some portions of the video and audio data streams may be presented while others are omitted*". The claim then recites the limitation, "*presenting the selected and altered streams concurrently*", which is supported on Page 22, Line 32 through Page 23, Line 11 of the instant application's specification.
> The entire process of Figure 8, which is discussed further on Pages 21-23 of the instant application's specification, states nothing about omitting content from the streams. Instead, the only altering done in the process of Figures 8 to the audio and video streams are completely opposite from omitting content (such as changing the volume of the audio streams or the opacity of the video streams). Therefore, the specification fails to teach how the system would concurrently present selected and altered video and audio streams, where the altered stream(s) are ones that have omitted content while retaining other content for presentation.

Claims 1, 22, and 43 are amended to recite subject matter similar to "presenting the selected **unaltered** and altered streams concurrently." Claims 14, 35, and 44 are amended to recite "presenting the selected

unaltered and altered video streams and the selected **unaltered** and altered audio streams for the event according to selected video stream and audio stream assignments concurrently." Support for these amendments may be found at least on page 12, lines 27-29 and page 22, line 32, to page 23, line 11, of the present specification.

In response to the Office's allegation that "the specification fails to teach how the system would concurrently present selected and altered video and audio streams, where the altered stream(s) are ones that have omitted content while retaining other content for presentation." Applicants respectfully submit that the altered stream is produced by retaining other content for presentation that is not omitted. The omitted content is omitted and not presented, thus, the omission of the content creates the altered stream and differentiates it from just a selected unaltered stream. The Office Alleges that "The entire process of Figure 8, which is discussed further on Pages 21-23 of the instant application's specification, states nothing about omitting content from the streams. Instead, the only altering done in the process of Figures 8 to the audio and video streams are completely opposite from omitting content (such as changing the volume of the audio streams or the opacity of the video streams). Applicants respectfully submit that Applicants specification provides support for selected unaltered streams and altered streams concurrently. On page 12, line 31, to page 13, line 1, Applicants' specification reads:

> Depending on the user input, some portions of the video and audio data streams
> may be presented while others are omitted.

In this section, Applicants' specification states that portions of the video and audio data streams may be presented while others are omitted. On page 14, lines 20-24, Applicants' specification reads:

> The selected data stream or selected portions of data streams are displayed to
> user through output system 506, which may be used to drive displays and audio output
> devices, such as a high definition television or speakers.

In this section, Applicants' specification states that selected data stream or selected portions of data streams are displayed. On page 15, line 30, to page 17, line 30, Applicants' specification reads:

> By way of example, consider a football game being broadcast across the Internet
> or a broadband network. **The end user is able to select from and mix several audio
> streams. For example, the quarterback microphone of either team, the coach's
> microphone of either team, and/or the announcers, of which, there could be several
> (e.g., John Madden, Phil Simms, Howie Long, Bruce Beadle, Michael Paolini, etc.).
> In this manner, the user is able to tune-out (deselect) John Madden if they find him
> offensive. The user might instead choose to listen to the Quarterback microphone of
> the 49er's (or the opposing team, or another announcer of their choice, or to listen in
> another language entirely) without having to change the channel/coverage.**
> Carrying the football example further, with the present invention, it is possible to
> have a separate audio track for viewers that are new to the sport. This separate audio
> track would explain the rules of the game and what is happening in additional detail. It
> would also explain the technical jargon particular to football. The user may choose to
> have this additional information presented as a text stream.

In yet another example of the use of the present invention, continuing with the football theme, the user could place team A's player voices on the right channels with team B's player voices on the left channels and the announcers' voices on the rear channels. Furthermore, the user could select the player with the ball such that this player's voice is always on the center channel.

One primary data stream representing the video (which does not change no matter which audio overlay streams are selected), and many small add-on data streams representing audio or video overlays may be used to present the program. These streams could be mixed together or assigned to channels (right, left, rear, center, etc.) and/or 3-D positional locations using the latest "Dolby Digital" from Dolby Laboratories and other similar technologies. In addition, the volume could be adjusted on a per-overlay basis. More information on technologies, such as "Dolby Digital" may be found in United States Patent No. 5,912,976.

With respect to video overlays, **several video overlays can also be streamed and selected in a manner similar to the audio streaming and mixed to "overlay" the final video.** If, for example, the desired overlay was a balloon shaped pop-up at a certain video display position containing some text, then the additional overlay stream would not have to be video itself, but rather the information to create the overlay video. Therefore, the size of the data stream would be much, much smaller than a primary video stream. Additionally, unrelated information in addition to the data streams selected for an event, such as, for example, stock market data or news headlines also may be provided to the user. If, for example, the event or programming being viewed is that of a football game, it is possible to have a video overlay stream dedicated to displaying pop-up balloons with data, such as statistics on players in which these pop-up balloons may appear over the players themselves. Additionally, betting odds, other interesting facts about the players, or rules and information about events may be displayed in this manner. Another type of data stream may include embedded pictures of players with biographies tagged on as well. **(Emphasis added)**

In this section, Applicants provide an example where an end user is able to select from and mix several audio streams. In the example, the user has the choice to select from and mix: the quarterback microphone of either team, the coach's microphone of either team, and/or the announcers, of which, there could be several (e.g., John Madden, Phil Simms, Howie Long, Bruce Beadle, Michael Paolini, etc.). Thus, the example provides five audio streams from which to select. In the example, the announcer's stream contains five voices, one of which is John Madden. The user tunes-out or deselects John Madden voice if they find him offensive while listening to the other announcers. Applicants respectfully submit that tuning out or deselecting john maddens voice is the same as omitting.

Thus, Applicants' specification provides support for responsive to user input to the data processing system, selectively altering ones of the selected video streams and ones of the selected audio streams for the event, wherein the altering step selectively omits content of at least one of the selected streams while retaining other content for presentation to produce an altered stream; and presenting the selected unaltered and altered streams concurrently. Therefore, Applicants respectfully request withdrawal of the rejection of claims 1-44 under 35 U.S.C. § 112, first paragraph.

II.   35 U.S.C. § 112, First Paragraph

The Office rejects claims 1-44 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed.

> Claims 1-44 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.
>
> Regarding the independent claims, the claims recite, "*altering ones of the selected video streams and ones of the selected audio streams for the event, wherein the altering step selectively omits content of at least one of the selected streams while retaining other content for presentation to produce an altered stream*". The examiner notes that the only section in the Applicant's specification of the instant application that discusses altering by omitting content from the video or audio streams can be found on Page 12, Lines 27-29, which states, "*Depending on the user input, some portions of the video and audio data streams may be presented while others are omitted*". The claim then recites the limitation, "*presenting the selected and altered streams concurrently*", which is supported on Page 22, Line 32 through Page 23, Line 11 of the instant application's specification.
>
> Note that since Applicant's system omits portions from the video and audio streams and **presents** the others, then clearly the omitted portions of the video and audio streams are **not displayed**; therefore the system is not be capable of displaying both the **omitted** and **selected** portions concurrently.
>
> Furthermore, the specification states on Page 22, Line 32 through Page 23, Line 3 that "*Once the media streams are selected and configured the audio and video streams are synchronized to each other*". Clearly the audio and video streams are both selected and configured before concurrent display, therefore since the audio and video streams are both selected *and* configured before synchronous display, the system is not be capable of displaying both the **omitted** and **selected** portions concurrently.

Claims 1, 22, and 43 are amended to recite subject matter similar to "presenting the selected **unaltered** and altered streams concurrently." Claims 14, 35, and 44 are amended to recite "presenting the selected **unaltered** and altered video streams and the selected **unaltered** and altered audio streams for the event according to selected video stream and audio stream assignments concurrently." Support for these amendments may be found at least on page 12, lines 27-29 and page 22, line 32, to page 23, line 11, of the present specification.

As discussed above, the various sections of Applicants' specification describes that a user is able to select from and mix several audio streams. In the example, the user has the choice to select from and mix: the quarterback microphone of either team, the coach's microphone of either team, and/or the announcers, of which, there could be several (e.g., John Madden, Phil Simms, Howie Long, Bruce Beadle, Michael Paolini, etc.). Thus, the example provides five audio streams from which to select. In

the example, the announcer's stream contains five voices, one of which is John Madden. The user tunes-out or deselects John Madden voice if they find him offensive while listening to the other announcers. Applicants respectfully submit that tuning out or deselecting john maddens voice is the same as omitting.

Thus, Applicants' specification provides support for responsive to user input to the data processing system, selectively altering ones of the selected video streams and ones of the selected audio streams for the event, wherein the altering step selectively omits content of at least one of the selected streams while retaining other content for presentation to produce an altered stream; and presenting the selected unaltered and altered streams concurrently. Therefore, Applicants respectfully request withdrawal of the rejection of claims 1-44 under 35 U.S.C. § 112, first paragraph.

III.   Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

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